

5. Admitted.

PARTIES

6. Flagship incorporates the numbered paragraphs above as though fully set forth herein.

7. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 7 and therefore denies the same.

8. The allegations contained in Paragraph No. 8 contain legal conclusions. Accordingly, Flagship is not obligated to respond to Paragraph No. 8. To the extent a response is required, denied.

9. In response to the allegations contained in Paragraph No. 9, Flagship states that its principal place of business is located in Chadds Ford, Pennsylvania, and that it can be served with process through its registered agent, Corporation Service Company. The remaining allegations contained in Paragraph No. 9 contain legal conclusions to which no response is required. To the extent a response is required, denied.

10. The allegations contained in Paragraph No. 10 are specifically directed to the other defendants and do not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 10. To the extent a response is required, denied.

11. The allegations contained in Paragraph No. 11 are specifically directed to the other defendants and do not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 11. To the extent a response is required, denied.

12. The allegations contained in Paragraph No. 12 are specifically directed to the other defendants and do not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 12. To the extent a response is required, denied.

13. In response to the allegations contained in Paragraph No. 13, Flagship states it was authorized to conduct business in the State of Tennessee and conducted business in the State of Tennessee. The remaining allegations contained in Paragraph No. 13 are specifically directed to the other defendants and do not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 13. To the extent a response is required, denied.

14. The allegations contained in Paragraph No. 14 contain legal conclusions. Accordingly, Flagship is not obligated to respond to Paragraph No. 14. To the extent a response is required, denied.

15. The allegations contained in Paragraph No. 15 contain legal conclusions. Accordingly, Flagship is not obligated to respond to Paragraph No. 15. To the extent a response is required, denied.

FACTUAL BACKGROUND

16. Flagship incorporates the numbered paragraphs above as though fully set forth herein.

17. Flagship is without information sufficient to admit or deny the truth of the allegations in Paragraph No. 17 and therefore denies the same.

18. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 18 and therefore denies the same.

19. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 19 and therefore denies the same.

20. The allegation contained in Paragraph No. 20 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to

Paragraph No. 20. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

21. The allegations contained in Paragraph No. 21 are specifically directed to the other defendants and do not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 21. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegations and therefore denies the same.

22. The allegations contained in Paragraph No. 22 are specifically directed to the other defendants and do not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 22. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegations and therefore denies the same.

23. The allegation contained in Paragraph No. 23 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 23. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

24. The allegation contained in Paragraph No. 24 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 24. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

25. The allegation contained in Paragraph No. 25 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 25. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

26. The allegation contained in Paragraph No. 26 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 26. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

27. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 27 and therefore denies the same.

28. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 28 and therefore denies the same.

29. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 29 and therefore denies the same.

30. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 30 and therefore denies the same.

31. Flagship is without information sufficient to admit or deny the truth of the allegations in Paragraph No. 31, including subparts (a.) and (b.) and therefore denies the same.

32. Flagship is without information sufficient to admit or deny the truth of the allegations in Paragraph No. 32 and therefore denies the same.

33. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 33 and therefore denies the same.

34. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 34 and therefore denies the same.

35. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 35 and therefore denies the same.

36. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 36 and therefore denies the same.

37. The allegation contained in Paragraph No. 37 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 37. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

38. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 38 and therefore denies the same.

39. The allegation contained in Paragraph No. 39 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 39. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

40. The allegation contained in Paragraph No. 40 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 40. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

41. The allegation contained in Paragraph No. 41 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 41. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

42. The allegation contained in Paragraph No. 42 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to

Paragraph No. 42. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

43. The allegation contained in Paragraph No. 43 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 43. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

44. The allegation contained in Paragraph No. 44 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 44. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

45. The allegation contained in Paragraph No. 45 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 45. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

46. The allegation contained in Paragraph No. 46 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 46. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

47. The allegation contained in Paragraph No. 47 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 47. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

Allegations Specific to the Credit Reporting of Plaintiff

48. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 48 and therefore denies the same.

49. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 49 and therefore denies the same.

50. Flagship is without information sufficient to admit or deny the truth of the allegations in Paragraph No. 50 and therefore denies the same.

51. The allegation contained in Paragraph No. 51 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 51. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

52. The allegation contained in Paragraph No. 52 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 52. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

53. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 53 and therefore denies the same.

54. Flagship is without information sufficient to admit or deny the truth of the allegations in Paragraph No. 54 and therefore denies the same.

55. The allegation contained in Paragraph No. 55 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 55. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

56. The allegation contained in Paragraph No. 56 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 56. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

57. The allegation contained in Paragraph No. 57 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 57. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

58. The allegation contained in Paragraph No. 58 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 58. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

59. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 59 and therefore denies the same.

60. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 60 and therefore denies the same.

61. Flagship is without information sufficient to admit or deny the truth of the allegations in Paragraph No. 61 and therefore denies the same.

62. Flagship is without information sufficient to admit or deny the truth of the allegations in Paragraph No. 62 and therefore denies the same.

63. Flagship is without information sufficient to admit or deny the truth of the allegations in Paragraph No. 63 and therefore denies the same.

64. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 64 and therefore denies the same.

65. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 65 and therefore denies the same.

66. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 66 and therefore denies the same.

67. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 67 and therefore denies the same.

68. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 68 and therefore denies the same.

69. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 69 and therefore denies the same.

70. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 70 and therefore denies the same.

71. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 71 and therefore denies the same.

72. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 72 and therefore denies the same.

73. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 73 and therefore denies the same.

74. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 74 and therefore denies the same.

75. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 75 and therefore denies the same.

76. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 76 and therefore denies the same.

77. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 77 and therefore denies the same.

Plaintiff's Disputes

78. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 78 and therefore denies the same.

79. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 79 and therefore denies the same.

80. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 80 and therefore denies the same.

81. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 81 and therefore denies the same.

82. Admitted.

83. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 83 and therefore denies the same.

84. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 84 and therefore denies the same.

85. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 85 and therefore denies the same.

86. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 86 and therefore denies the same.

87. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 87 and therefore denies the same.

88. Denied.

89. Denied.

90. The allegation contained in Paragraph No. 90 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 90. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

91. The allegation contained in Paragraph No. 91 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 91. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

92. The allegation contained in Paragraph No. 92 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 92. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

93. The allegation contained in Paragraph No. 93 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 93. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

94. The allegation contained in Paragraph No. 94 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 94. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

Plaintiff's Damages

95. Denied.

96. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 96 and therefore denies the same.

97. Flagship is without information sufficient to admit or deny the truth of the allegations in Paragraph No. 97 and therefore denies the same.

98. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 98 and therefore denies the same.

99. The allegation contained in Paragraph No. 99 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 99. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

100. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 100 and therefore denies the same.

101. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 101 and therefore denies the same.

COUNT I
Violation of the Fair Credit Reporting Act, 15 U.S.C. §§ 1681e(b), 1681(i)
The CRA Defendants

102. Flagship incorporates the numbered paragraphs above as though fully set forth herein.

103. The allegation contained in Paragraph No. 103 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 103. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

104. The allegation contained in Paragraph No. 104 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 104. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

105. The allegation contained in Paragraph No. 105 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 105. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

106. The allegation contained in Paragraph No. 106 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 106. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

107. The allegation contained in Paragraph No. 107 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to

Paragraph No. 107. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

108. The allegations contained in Paragraph No. 108 are specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 108. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

109. The allegation contained in Paragraph No. 109 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 109. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

110. The allegation contained in Paragraph No. 110 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 110. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

111. The allegation contained in Paragraph No. 111 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 111. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

112. The allegation contained in Paragraph No. 112 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 112. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

113. The allegation contained in Paragraph No. 113 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 113. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

114. The allegation contained in Paragraph No. 114 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 114. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

115. The allegation contained in Paragraph No. 115 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 115. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

116. The allegation contained in Paragraph No. 116 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 116. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

117. The allegation contained in Paragraph No. 117 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 117. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

118. The allegation contained in Paragraph No. 118 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to

Paragraph No. 118. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

119. The allegation contained in Paragraph No. 119 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 119. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

120. The allegation contained in Paragraph No. 120 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 120. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

121. The allegation contained in Paragraph No. 121 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 121. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

122. The allegation contained in Paragraph No. 122 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 122. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

123. The allegation contained in Paragraph No. 123 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 123. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

124. The allegation contained in Paragraph No. 124 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 124. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

125. The allegation contained in Paragraph No. 125 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 125. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

126. The allegation contained in Paragraph No. 126 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 126. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

127. The allegation contained in Paragraph No. 127 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 127. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

128. The allegation contained in Paragraph No. 128 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 128. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

129. The allegation contained in Paragraph No. 129 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to

Paragraph No. 129. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

130. The allegations contained in Paragraph No. 130, including subparts (a) through (c), are specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 130. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

131. The allegation contained in Paragraph No. 131 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 131. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

132. The allegation contained in Paragraph No. 132 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 132. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

133. The allegation contained in Paragraph No. 133 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 133. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

134. The allegation contained in Paragraph No. 134 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 134. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

135. The allegation contained in Paragraph No. 135 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 135. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

136. The allegation contained in Paragraph No. 136 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 136. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

137. The allegation contained in Paragraph No. 137 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 137. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

138. The allegation contained in Paragraph No. 138 is specifically directed to the other defendants and does not reference Flagship. Accordingly, Flagship is not obligated to respond to Paragraph No. 138. To the extent a response is required, Flagship is without information sufficient to admit or deny the truth of the allegation and therefore denies the same.

COUNT II
Defendant Flagship Credit Acceptance LLC
(Violations of the FCRA, 15 U.S.C. § 1681s-2(b))

139. Flagship incorporates the numbered paragraphs above as though fully set forth herein.

140. The allegations contained in Paragraph No. 140 contain legal conclusions. Accordingly, Flagship is not obligated to respond to Paragraph No. 140. To the extent a response is required, denied.

141. The allegation contained in Paragraph No. 141 contains legal conclusions. Accordingly, Flagship is not obligated to respond to Paragraph No. 141. To the extent a response is required, denied.

142. The allegation contained in Paragraph No. 141 contains legal conclusions. Accordingly, Flagship is not obligated to respond to Paragraph No. 141. To the extent a response is required, denied.

143. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 143 and therefore denies the same.

144. Admitted.

145. The allegation contained in Paragraph No. 145 contains legal conclusions. Accordingly, Flagship is not obligated to respond to Paragraph No. 145. To the extent a response is required, denied.

146. Denied.

147. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 147 and therefore denies the same.

148. Denied.

149. The allegations contained in Paragraph No. 149, including subparts (a) through (g), contain legal conclusions. Accordingly, Flagship is not obligated to respond to Paragraph No. 149. To the extent a response is required, denied.

150. Denied.

151. The allegation contained in Paragraph No. 151 contains legal conclusions. Accordingly, Flagship is not obligated to respond to Paragraph No. 151. To the extent a response is required, denied.

152. The allegation contained in Paragraph No. 152 contains legal conclusions. Accordingly, Flagship is not obligated to respond to Paragraph No. 152. To the extent a response is required, denied.

153. Flagship is without information sufficient to admit or deny the truth of the allegation in Paragraph No. 153 and therefore denies the same.

154. The allegation contained in Paragraph No. 154 contains legal conclusions. Accordingly, Flagship is not obligated to respond to Paragraph No. 154. To the extent a response is required, denied.

155. Flagship denies any and all other allegations in numbered and unnumbered paragraphs of Plaintiff's Complaint.

DEFENSES

For further response to the Complaint and pursuant to Rule 8 of the Federal Rules of Civil Procedure, Flagship specifically asserts the following affirmative and other defenses:

FIRST DEFENSE

The Complaint fails to state a claim upon which relief can be granted under the Fair Credit Reporting Act.

SECOND DEFENSE

As a further defense, Flagship avers that it is entitled to enforce its rights to arbitration as a matter of contract.

THIRD DEFENSE

As a further defense, Flagship avers that it maintained reasonable procedures within the Fair Credit Reporting Act.

FOURTH DEFENSE

As a further defense, Flagship avers that Plaintiff has acted with unclean hands.

FIFTH DEFENSE

As a further defense, Flagship avers that Plaintiff has no private right of action as she is unable to state and prove that Flagship violated its duties and obligations under the Fair Credit Reporting Act.

SIXTH DEFENSE

As a further defense, Flagship avers that Plaintiff has not suffered any injury-in-fact and therefore lacks Article III standing.

SEVENTH DEFENSE

As a further defense, Flagship avers that Plaintiff's claims are barred to the degree she has not suffered any recoverable actual damages.

EIGHTH DEFENSE

As a further defense, Flagship avers that Plaintiff has not and cannot meet her burden under the Fair Credit Reporting Act in order to recover punitive damages.

NINTH DEFENSE

As a further defense, Flagship avers that Plaintiff's claims are barred by the doctrine of laches.

TENTH DEFENSE

As a further defense, Flagship avers that Plaintiff's claims are barred by the doctrine of waiver.

ELEVENTH DEFENSE

As a further defense, Flagship avers that Plaintiff's claims are barred by the doctrine of estoppel.

TWELFTH DEFENSE

As a further defense, Flagship avers that any violations of the FCRA that may have occurred were not committed by Flagship and that any resultant damages were caused by the actions or inactions of Plaintiff or others.

THIRTEENTH DEFENSE

As a further defense, Flagship avers that any violations of the FCRA that may have occurred were caused by the actions or inactions of Plaintiff or others either without prior authorization or direction from Flagship or acting outside the reasonable scope of any such authorization or direction.

FOURTEENTH DEFENSE

As a further defense, Flagship avers that Plaintiff has failed to mitigate her damages.

FIFTEENTH DEFENSE

As a further defense, Flagship avers that Plaintiff has failed to exercise reasonable care.

RESERVATION OF RIGHTS

Flagship expressly reserves its right to amend this Answer and plead additional defenses and to plead its defenses more specifically at the conclusion of discovery proceedings.

WHEREFORE, having fully answered the Complaint filed by Plaintiff Robin Schloesser, Defendant Flagship Credit Acceptance LLC respectfully requests the following relief:

- a) The Complaint and all claims therein be dismissed with prejudice;

- b) This Court enter a judgment finding that Flagship did not commit any violations of the Fair Credit Reporting Act;
- c) This Court enter judgment in favor of Flagship and against Plaintiff on all theories of liability in the Complaint;
- d) This Court tax all costs to Plaintiff;
- e) This Court empanel a jury of twelve (12) to hear this matter; and
- f) The Court further grant Flagship any and all additional relief the Court deems just, equitable, fair, or appropriate.

Respectfully submitted this 14th day of January, 2022.

**BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, PC**

/s/ Sye T. Hickey

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 14th day of January, 2022, a true and exact copy of the foregoing **DEFENDANT FLAGSHIP CREDIT ACCEPTANCE LLC's ANSWER TO COMPLAINT** was filed with the Court's CM/ECF electronic filing system, which will deliver notice and a copy of this pleading to the following counsel of record:

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